

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD C. EVERETT,
Plaintiff,

v.

DR. PATTERSON,
Defendant.

Case No. [18-cv-02384-DMR](#) (PR)

ORDER OF TRANSFER

On April 20, 2018, Plaintiff, a state prisoner, filed a *pro se* civil rights action pursuant to 42 U.S.C. § 1983.

On the same date, the Clerk of the Court notified Plaintiff in writing that his action was deficient in that he had not submitted an *in forma pauperis* (“IFP”) application. Dkt. 2. The Clerk further notified him that this action would be dismissed if he did not submit a completed IFP application within twenty-eight days. *See id.* In addition, the Clerk notified Plaintiff in writing that this matter has been assigned to the undersigned Magistrate Judge. Dkt. 3. To date, Plaintiff has neither filed a completed IFP application nor provided his consent to magistrate judge jurisdiction.

The acts complained of occurred at California State Prison - Sacramento, which is located in the Eastern District of California, and it appears that Defendant resides in that district. Venue, therefore, properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b).

Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is

1 TRANSFERRED to the United States District Court for the Eastern District of California.¹ The
2 Clerk shall transfer the case forthwith.

3 If Plaintiff wishes to further pursue this action, he must complete the IFP application
4 required by the United States District Court for the Eastern District of California and mail it to that
5 district.

6 All remaining motions are TERMINATED on this court's docket as no longer pending in
7 this district.

8 IT IS SO ORDERED.

9 Dated: April 25, 2018



DONNA M. RYU
United States Magistrate Judge

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28 ¹ Venue transfer is a non-dispositive matter and, thus, it falls within the scope of the jurisdiction of
the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(A).

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD C. EVERETT,
Plaintiff,

v.

PATTERSON, et al.,
Defendants.

Case No. [4:18-cv-02384-DMR](#)

CERTIFICATE OF SERVICE


I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on April 25, 2018, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Richard C. Everett ID: AF5392
P.O. Box 290066
Represa, CA 95671

Dated: April 25, 2018

Susan Y. Soong
Clerk, United States District Court

By: 
Ivy Lerma Garcia, Deputy Clerk to the
Honorable DONNA M. RYU